

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
etc.,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO.
)	1:06mc3297-MHT
BARRY S. FORD,)	
)	
Respondent.)	

ORDER

A show-cause hearing is currently scheduled for June 9, 2006, in this case on the United States of America's petition to enforce IRS summons. However, the government has not effected personal service upon respondent Barry S. Ford. Accordingly, it is ORDERED as follows:

(1) The hearing currently set for June 9, 2006, is cancelled, and another hearing is set for August 14, 2006, at 9:00 a.m.

(2) Respondent Barry S. Ford is to appear on August 14, 2006, at 9:00 a.m. at the Frank M. Johnson Courthouse complex, Courtroom 2FMJ, One Church Street, Montgomery,

Alabama 36104, to show cause why he should not be compelled to comply with the Internal Revenue Service summons served on him on November 9, 2004.

(3) The United States Marshal, or his representative, is to continue to attempt to personally serve a copy of this order, together with the petition and exhibits thereto, on respondent Ford.

(4) The government's oral request to be allowed to undertake to effect service by publication (in addition to personal service) on respondent Ford is granted.

(5) On or before August 1, 2006, respondent Ford shall file and serve a written response to the petition to enforce IRS summons. If he has any defenses to present or motions to make in opposition to the petition, such defenses or motions, if any, shall be made in writing and filed with the court, and copies served on the United States Attorney on or before August 7, 2006. Only those issues raised by motion or brought into controversy by the responsive pleading shall be considered by the court

and any uncontested allegations in the petition shall be deemed admitted.

(6) If respondent Ford has no objection to compliance with the petition to enforce IRS summons, then on or before August 7, 2006, he may notify the clerk of this court, in writing, with copies to the United States Attorney, of the fact that he will comply with the petition and summons and that no response or appearance as ordered herein will be required. The court will then simply enter an order granting the petition and enforcing the IRS summons.

DONE, this the 9th day of June, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE